CITY COUNCIL MEETING MINUTES
CITY OF SANTA MARIA, CALIFORNIA
APRIL 2, 2019 - CITY HALL COUNCIL CHAMBERS

CALL TO ORDER
Mayor Patino called the meeting to order at 5:00 p.m.

ROLL CALL:
MEMBERS PRESENT:
Mayor Alice Patino, Councilmember Michael Moats, Councilmember Mike Cordero, Councilmember Etta Waterfield.

Councilmember Gloria Soto arrived at 5:02 p.m.

STAFF MEMBERS PRESENT:
City Manager Stilwell, Interim City Attorney Sinco, Director of Human Resources & Records Anderson, and Deputy City Clerk Cleary (for roll call only).

PUBLIC COMMENT PERIOD
There were no requests to speak.

RECESS - CLOSED SESSION
Mayor Patino recessed to a Closed Session at 5:02 p.m. for: 1) Conference with Legal Counsel - Existing Litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9 (four cases). Robert Herrick v. City of Santa Maria, WCAB Case Nos. ADJ10755133, ADJ10755134, ADJ10755119, and ADJ10755120; Neil Medrano v. City of Santa Maria, WCAB Case Nos. ADJ10761023, ADJ11337398, and ADJ11337572; Buddy Brannon v. City of Santa Maria, WCAB Case Nos. ADJ9162144 and ADJ10164839; and Adrian Talbaldo v. City of Santa Maria, WCAB Case No. ADJ6628707, and 2) Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code: Agency Representatives: City Manager Jason Stilwell, Director of Human Resources & Records Jayne Anderson, and Consulting Negotiators Robert MacLeod & Che Johnson. Employee Organizations: All bargaining units, unrepresented employees, managers, and executives.

INVOCATION
Councilmember Waterfield gave the Invocation.

PLEDGE OF ALLEGIANCE
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER
Mayor Patino reconvened the meeting and called the meeting to order at 5:30 p.m.

ROLL CALL:
MEMBERS PRESENT:
Mayor Alice Patino, Councilmember Michael Moats, Councilmember Mike Cordero, Councilmember Gloria Soto, and Councilmember Etta Waterfield

STAFF MEMBERS PRESENT:
City Manager Jason Stilwell, Interim City Attorney Philip Sinco, Director of Human Resources & Records Jayne Anderson, Fire Chief Leonard Champion, Chief of Police Phillip Hansen, Director of Finance Mary Harvey. City Librarian Mary Housel, Director of Public Works/City Engineer Kevin McCune, Director of Community Development Chuen Ng, Director of Recreation & Parks Alex Posada. Director of Utilities Shad Springer, Assistant City Manager Patrick Wiemiller, and Deputy City Clerk Beth Cleary

CLOSED SESSION REPORT: INTERIM CITY ATTORNEY
Interim City Attorney Sinco announced that there was no reportable action associated with any of the Closed Session items.

1 PROCLAMATIONS

A. Councilmember Soto presented a proclamation recognizing the day of April 20, 2019, as Santa Maria's Earth Day Celebration in the City of Santa Maria, and encouraging all residents and businesses to become engaged in the community and join efforts to maintain and improve Santa Maria's urban and rural environments. The proclamation was accepted by Mike Lehane of the Natural History Museum.

B. Councilmember Cordero presented a proclamation recognizing the week of April 22-26, 2019, as National Community Development Week in the City of Santa Maria, and encouraging the

continuance of increased funding opportunities in the coming years. The proclamation was accepted by Alicia Vela of the City's Special Projects Division.

C. Mayor Patino presented a proclamation recognizing the month of April 2019, as Fair Housing Month in the City of Santa Maria, and encouraging the continuance of equal housing opportunities for all residents of Santa Maria. The proclamation was accepted by Tanya Villegas of Legal Aid Foundation.

D. Councilmember Waterfield presented a proclamation recognizing the month of April 2019, as Sexual Assault Prevention Awareness Month in the City of Santa Maria, and encouraging all residents and businesses to participate in a month full of activities promoted by the North County Rape Crisis & Child Protection Center. The proclamation was accepted by Ann McCarty of the North County Rape Crisis & Child Protection Center.

E. Councilmember Moats presented a Proclamation recognizing the month of April 2019, as Donate Life Month in the City of Santa Maria, and encouraging everyone to check "YES!" when applying for or renewing their driver's license or I.D. card. The Proclamation was accepted by Scott Burns, a kidney donation recipient.

F. Councilmember Cordero presented a proclamation recognizing the month of April 2019, as Kite Month in the City of Santa Maria, and encouraging residents to participate in the joy and excitement of kite flying and go fly a kite! Nancy Gastelum of the Discovery Museum accepted the proclamation.

2 PUBLIC COMMENT PERIOD

Scott Hillis spoke about various chapters of SCORE which offers free business advice to people. He offered the group's help with the City's upcoming streetscape project.

Mark Rademaker spoke about a recent movie called Unplanned.

Susan Parmelee spoke about Casa Del Rio Estates mobile home park and NSBMHT's continued desire for enforceable rent stabilization for mobile home owners.

Ernest Armenta spoke about the many decisions City Councilmembers make.

3 CONSENT CALENDAR

Councilmember Waterfield requested that Item 3B (Minutes from the March 19th Council meeting) be pulled and amended to include an exchange that took place between Mayor Patino and Joe Leonard of Betteravia Farms.

Consent Calendar Items 3A-3H were approved, with the amendment to the minutes, and included the adoption of Resolution Nos. 2019-34, 2019-35, 2019-36, and 2019-37. The recorded vote appears with each item below.

A. Waive the reading in full of all Ordinances and Resolutions. Ordinances on the Consent Agenda will be adopted by the same vote cast at the first meeting, unless City Council indicates otherwise.

Action: Waived readings in full.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
1"

B. Approve the Minutes of the regular City Council meeting of March 19, 2019 as amended to include the following exchange between Mayor Patino and Joe Leonard of Betteravia Farms:

Mayor Patino inquired about the status of an H-2A project Betteravia Farms had been working on in the County on Highway 1.

Mr. Leonard responded that they had started the process to build an H-2A guest worker complex three years ago and received County approval. They had spent the last three years dealing with regulatory compliance issues, both federal and state. Last month, they finally received State Fish & Wildlife approval to move forward on the project. However, due to the rising costs of the project and the need to build underground utilities infrastructure, the project has been postponed indefinitely and will likely not move forward to fruition.

Action: Minutes were approved as amended.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
Motion carried. 5-0. approved as amended.

C. Adopt a Resolution approving the final dissolution of the Successor Agency to the Redevelopment Agency of the City of Santa Maria.

Action: Dissolution of the Successor Agency to the Redevelopment Agency of the City of Santa Maria approved
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
Motion carried. Adopted as Resolution No. 2019-34. 5-0.

D. Payment of Warrants. Ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Finance.

Action: Warrants ratified.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
Motion carried. 5-0.

E. Payment of Payroll. Ordered ratified subject to having been certified by the proper Department Directors, as shown on records on file in the Department of Finance, and having been approved for payment by the Director of Finance.

Action: Payroll ratified.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
Motion carried. 5-0.

F. Adopt a Resolution to establish a no-stopping zone on East Park Avenue.

Action: No-stopping zone on East Park Avenue approved.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
Motion carried. Adopted as Resolution 2019-35. 5-0.

G. Adopt a Resolution approving the elimination of no-stopping zones on East Jones Street between South Broadway (SR-135) and South McClelland Street.

Action: Elimination of no-stopping zones on East Jones Street between South Broadway and South McClelland Street approved.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
Motion carried. Adopted as Resolution No. 2019-36. 5-0.

H. Adopt a Resolution to establish a no-stopping zone on Marsala Avenue.

Action: No-stopping zone on Marsala Avenue approved.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
Motion carried. Adopted as Resolution No. 2019-37. 5-0.

4 PUBLIC HEARING

A. **LAKEVIEW MIXED-USE PLANNED DEVELOPMENT PERMIT AT THE NORTHWEST CORNER OF ORCUTT EXPRESSWAY AND SKYWAY DRIVE.** The City Council considered a recommendation of the Planning Commission to 1) approve an Addendum to the adopted Lakeview Promenade Environmental Impact Report; and 2) approve a Planned Development Permit, PD2018-0008.

On March 7, 2019, the Planning Commission voted 4-0-1 (Commissioner White-O'Neill absent), to recommend that City Council adopt resolutions approving the Addendum to the Lakeview Promenade Environmental Impact Report and the Planned Development Permit for the Lakeview Mixed-Use project.

Community Development Director Ng explained that the item involved a request for a mixed-use project at the corner of Skyway Drive and State Route 135. The project would be apartments and commercial retail on property zoned commercial and R-3 (high density residential). There would be 166 apartment units (43 studios, 77 one-bedrooms, 22 two-bedrooms, and 24 three-bedrooms) and 6,600 square feet of commercial space facing State Route 135. Usually Planned Development Permits do not require City Council review, but this project includes two components that exceed development standards by more than 25 percent - the height of the building and the set-backs. One of the buildings is four stories and 46 feet in height which exceeds the 35 foot height limit. The balconies facing Auto Park Drive and Mercury Drive encroach into the setback by a few feet. The project meets all other development standards. 178 parking spaces are available on-site for the 166 units. An additional 35 spaces are available adjacent to the apartment complex which brings the total parking spaces to 213. Architectural elements will tie in with existing buildings to the south.

Councilmember Soto asked for clarification on the 35 foot height limit.

Councilmember Waterfield asked how potential traffic issues would be alleviated.

Community Development Director Ng responded that the height limit was set by a previous Council to achieve a certain look. Staff believes that the applicant has designed the project in a way that

will blend well with the area. A traffic signal would be installed helping with drivers turning left onto Skyway from Auto Park.

Councilmember Moats mentioned that the applicant is also the developer of the property immediately to the south.

Brian Schwartz with Urban Planning Concepts (UPC), spoke on behalf of the applicant, Brad Vernon. The original project was approved about ten years ago but was not built. There were four study sessions and two public hearings with the Planning Commission concerning the current project, and the site plan has been updated so that all of the buildings are 34 feet tall, except the one in the middle of the site that would be 46 feet tall. There is more open area on the site, with additional open spaces having been added. The project will provide housing opportunities in a mixed-use setting, meets standards of the City's mixed-use ordinance, is easily accessible to nearby amenities, and is less environmentally impactful than when initially approved ten years ago.

Councilmember Cordero commented that he did not see a big deal with the two issues of height and setbacks. He said he was still slightly concerned about potential issues with parking should the ownership change so that both properties are no longer owned by the same people.

Mr. Schwartz responded that the parking currently exceeds that required on-site. Should the Council wish to place a shared parking agreement as a condition of approval, the applicant would be agreeable. There are also about 40 spaces of on-street parking on Auto Park and Mercury.

Councilmember Moats asked if the apartments would be market-rate rents, how visitors who park in the commercial spaces would be handled, and if anything was happening with the big building on the adjacent parcel to the south.

Mr. Schwartz confirmed the rent would be market-rate. He said there were no rules regarding parking, but the on-street parking and a few spaces to the south would alleviate any issues. At this time, there are no plans for the big building on the adjacent parcel to the south.

Action: Approval of an addendum to the Lakeview Promenade Final Environmental Impact Report for a mixed-use project on 4.0 acres located at the northwest corner of Orcutt Expressway (State Highway 135) and Skyway Drive.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.

Action: Approval of the Lakeview Mixed-Use Project Planned Development Permit for a mixed-use project on 4.0 acres located at the northwest corner of Orcutt Expressway (Highway 135) and Skyway Drive.
Moved by Councilmember Waterfield, seconded by Councilmember Moats.
Motion carried. Adopted as Resolution No. 2019-39. 5-0.

5 REGULAR BUSINESS

A. **URGENCY ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE NEW AND FUTURE USE OF ANY MOTEL, HOTEL, OR EFFICIENCY UNIT PROJECT IN THE CITY OF SANTA MARIA TO HOUSE H-2A WORKER.** The City Council considered an urgency ordinance to impose a temporary moratorium on new and future use of any motel, hotel, or any efficiency project in the City of Santa Maria to house H-2A temporary employees.

Interim City Attorney Sinco gave a presentation as detailed in the Council Agenda Report. The H-2A visa program is a federal program that authorizes the lawful admission into the United States of temporary, non-immigrant workers (H-2A temporary employees) to perform agricultural labor or services of a temporary or seasonal nature. Employers are required to provide housing, meals (or cooking facilities), and daily transportation. When the former Budget Inn on North Broadway was purchased by Betteravia Farms, staff became aware of the housing impact the program might have on Santa Maria. That property is located in the C-2 commercial zoning district, which prohibits residential uses except for transient occupancy (i.e., stays of 30 days of less). City staff believed that housing of H-2A workers was consistent with the C-2 zoning requirements because of a long-standing City policy concerning the checking out and checking back in of motel/hotel guests on the 30th day of their stays. This policy began in 1995 and still remains City policy. Each time a guest checked out and checked back in, a new transient stay was established, and the guest would pay transient occupancy tax.

Staff was also supportive of the conversion of the former Laz-e-Daze senior living residence boardinghouse located at 1318 N. Broadway to H-2A farm worker housing because of the existing, legally nonconforming R-3 residential use on the site. Around August 2018, Betteravia Farms expressed interest in the former Econo Lodge motel located at 210 S. Nicholson Ave. to house H-2A workers. Because staff interpreted use of the site for H-2A housing as a continuation of the

existing motel use, that was consistent with staff's previous interpretation and handling of Betteravia Farms' use of the former Budget Inn to house its H-2A workers, a discretionary permit was not required. When local residents learned about this, some objected and questioned why a discretionary permit and public hearing were not required. These persons do not believe that the use of the property to house H-2A workers is consistent with a motel/hotel use or the zoning of the site.

Staff estimates that more than 2,000 H-2A workers are currently, or soon will be, housed in the City for up to ten months. This has had an impact on the City's housing supply by reducing vacancies even lower than the historically low vacancy rates in the City, and by reducing the supply of housing for the City's permanent residents. The use of motels/hotels to house H-2A workers has also had an impact on some of the more vulnerable City residents who are unable to afford more traditional housing options other than renting rooms in the City's older motels/hotels. As a result, staff has become concerned that some discretionary permitting should be taking place with respect to any hotel/motel in the City before it is allowed to house H-2A workers.

Staff has also been informed that at least one member of the City Council has been approached by someone who indicated a desire to purchase and use the Vandenberg Senior Residences at the corner of E. Stowell and S. Broadway for housing of H-2A workers. The conversion of the Vandenberg Senior Residences from a senior living facility to a facility that could be used to house H-2A workers would likely require the issuance of a discretionary permit, and would be reviewed by the Planning Commission because this particular property was conditioned on being a senior housing project. Staff was concerned that there was a possibility that it could be converted to an efficiency unit project (see Chapter 12-52 of the Santa Maria Municipal Code) without discretionary review. For this reason, efficiency unit projects are proposed to be included in the temporary moratorium on new and future housing of H-2A workers, along with motel and hotels.

An urgency ordinance requires a four-fifths (4/5) vote for adoption. If adopted, the urgency ordinance would take effect immediately, but expires 45 days from the date of adoption. After notice and a public hearing, the Council may extend the ordinance for ten months and 15 days, and subsequently extend the ordinance for one year. Any extension requires a 4/5 vote for adoption. Not more than two extensions may be adopted. Ten days prior to the expiration of the interim ordinance or any extension, City Council must issue a report describing the measures taken to alleviate the condition which led to the adoption of the ordinance.

The proposed urgency ordinance would impose a temporary moratorium on the new and future use of any motel, hotel, or efficiency unit project in the City of Santa Maria for the housing of H-2A workers. The proposed urgency ordinance would not require any H-2A workers currently residing in any motel or hotel in the City to vacate, and would permit H-2A workers to be housed at any motel or hotel that has applied for a permit from the California Department of Housing and Community Development for an employee housing facility on or prior to the date the urgency ordinance is adopted (provided that the permit is subsequently issued). There are no H-2A workers currently residing in any efficiency unit projects nor are any applications for such projects on file with Community Development Department.

In addition to adopting the urgency ordinance, the Council could decline adopting the ordinance and maintain the status quo, or direct staff to conduct further investigation and bring the item back at a later time.

Mayor Patino commented that someone had approached her about a week ago saying they had heard a rumor that the Vandenberg Senior Residences had been purchased with the intent to convert to H-2A housing. Mayor Patino had to leave town shortly after she heard the comment, and wanted to stop any further action until there was time to learn more about the issue. Thus, she requested that this item be put on the agenda tonight. A few years ago, a hotel burned down in Santa Maria, and re-locating all of the individuals who lost their homes that day was challenging. Ms. Patino said she was concerned that having to re-home seniors from Vandenberg Residences would be equally challenging.

Councilmember Waterfield mentioned that someone had asked her about building efficiency units behind Vandenberg Residences near their parking lot that would not be for senior housing.

Mr. Sinco responded that it would be possible for a Planned Development Permit to be granted to build efficiency units on that site that were not for senior housing. However, during the review, it would be subject to the Planning Commission's discretion to approve or deny.

Councilmember Moats asked if anyone, including the hotel on Nicholson owned by Betteravia Farms, would be harmed by adopting the Urgency Ordinance.

Interim City Attorney Sinco responded that he was not aware of anyone or any projects that would be impacted negatively, although it was a small possibility.

Councilmember Soto asked about current protections for seniors and their housing situations; what the process would be if someone were to purchase Vandenberg Residences and turn it into H-2A housing; and what the "current and immediate threat to health, safety, and welfare of City residents..." was that had been referred to in the text of the ordinance. She also expressed her concern that the item seemed very rushed.

Interim City Attorney Sinco responded that there were many protections for seniors. Zoning, density bonuses, and other conditions protect seniors. To change something from senior housing into a different type of housing, would require changing the designation, and that would be difficult. If someone did purchase Vandenberg Residences and turn it into H-2A housing, they would likely have to file an application for a planned development permit, and be subject to discretionary review. With regard to the "current and immediate threat' language, this was the wording used in the statute that authorizes urgency ordinances and the threat would be a finding that the Council would have to make.

Councilmember Moats stated that the City had set a precedent several times that anyone can come in, purchase a motel and turn it into H-2A housing. He asked under what cases staff might deny an application to convert a motel to H-2A housing.

Interim City Attorney Sinco responded that each case would be taken on a case-by-case basis. Location, size of the project, zoning conflicts, etc. would be taken into consideration.

Councilmember Waterfield added that, ten years ago when she was on the Planning Commission, there had been discussion about firewalls and other issues to resolve, prior to converting motels into efficiency units. The buildings had not been made to have cooking facilities, or be equipped to house people long-term. The Planning Commission had determined that hotel/motel conversions were to stay on North Broadway above Stowell Road. She asked that staff email her and let her know when and how the decision to move off of Broadway had been decided, and when that policy had replaced the Planning Commission's decision. She said she understood the City's interest in transient occupancy tax (TOT) income, but did not want to sell out the residents of Santa Maria for TOT.

Councilmember Cordero asked if seniors at Vandenberg were protected from being displaced.

Interim City Attorney Sinco responded that the short answer would be "yes."

Councilmember Cordero pointed out that the proposed urgency ordinance had been drafted based on the rumor about a possible purchase of the Vandenberg Residences. He said he felt that, since the seniors were protected from having their homes taken over, this minimized the need for an urgency ordinance. The City has been in the process of working on H-2A housing issues for the last year and a half, and learned last year that the people involved in H-2A were working on contracts several months in advance. Establishing an urgency ordinance could potentially create a problem for growers and workers, and real estate business transactions. Other communities that have tried to enforce H-2A regulations, have had lawsuits brought against them, and lost. Mr. Cordero stated the matter should be handled in a board or conference room and not in a courtroom. He felt that restrictive ordinances would force the City into a courtroom. Since no one has broken the law with regard to H-2A, blocking the real estate transaction or imposing rules would only make matters worse. He stated that he believed there was no evidence that having H-2A workers in the City and neighborhoods will be a problem. There are just some residents who do not like the idea. He reminded everyone of the vetting process an H-2A worker goes through to be employed on a farm, and how, if there were any problems, the worker would not be anonymous to the community. He closed his remarks saying he did not believe there was enough evidence to put an urgency ordinance in place.

Councilmember Moats asked if the City of Salinas had a ruling that any hotel in Salinas could serve as housing for H-2A workers.

Interim City Attorney Sinco responded that he did not know the answer to that question. Although, he had been paying some attention to the situation in Salinas.

Public input

Alex Mendoza spoke about the H-2A workers he knows, and said he saw no reason for an urgency ordinance. He felt there were much more important issues in Santa Maria.

Andy Patel, a local motel owner, spoke about how respectful H-2A workers were as tenants and how they had become model tenants. Having H-2A workers as tenants had also enabled his motel to do upgrades and keep it from falling into disrepair. He encouraged the Council to vote against the urgency ordinance.

Kevin Gee, a strawberry grower who depends on H-2A workers, spoke against the moratorium.

Claire Wineman, with the Grower/Shipper Association, spoke about how necessary H-2A workers were to address the labor shortage in Santa Maria. She spoke against the urgency ordinance saying there was no substantiation of the claims of a threat to public safety as referred to in the proposed ordinance.

Mike Patel spoke as a hotel owner saying they had no plans to sell his property. He pointed out the long hours of H-2A workers, and said he had not had any problems with his tenants. He asked that the Council not support the ordinance, but rather do more research.

David Dennis spoke about living in the vicinity of the former Budget Inn motel. He said the motel refurbishing was a welcome improvement He asked how the City Council could discriminate against a class of residents after having presented a proclamation for Fair Housing.

Kathy Sharum expressed concern about the fear of having H-2A workers in communities, and likened it to racism.

Ajay Patel spoke about the benefits of having H-2A workers in the City, and said he was against the ordinance.

Joe Leonard, representing Betteravia Farms, spoke against the ordinance saying that Betteravia Farms was happy to work together to help create an ordinance for the City, but he did not think the proposed urgency ordinance was the right solution. He felt the H-2A housing did not displace any residents, take away from available housing, nor contribute to the homelessness problems the City faces.

Lupita Rios spoke against the proposed ordinance. She encouraged everyone to respect each other's differences, and embrace H-2A workers into the community.

Ted Ponce spoke about the H-2A program, and the success he has had employing H-2A workers with his produce company.

Jeremy Mackenzie spoke of the success of the H-2A program for his business, and how, over the last five years, he had only experienced one incident (out of 1,000 workers) where an H-2A worker had to be removed from the system. He asked that the City Council vote no on the ordinance.

Sara Macdonald asked that the community stop being afraid of temporary farm workers and each other.

Hazel Davalos expressed concern about restricting farm worker housing in motels and hotels because of the unintended consequences. She asked for long term solutions such as zoning for new building for farmworker housing.

Carlos Casteneda reminded everyone about last year's meetings where no one knew what the H-2A program was, and that it had been used in the community for about five years. He stated he felt the City had a tremendous opportunity for future investment in the program.

Laura Brown, with the California Strawberry Commission, spoke about her concerns with the ordinance, and compared it to the 2018 Urgency Ordinance regarding H-2A housing in residential neighborhoods. She said both processes seemed rushed, and she appreciated the informational meetings that have been held. She pointed out that there were several hotels/motels that house H-2A workers now, and the practice has been accepted and widely encouraged in the farming industry.

John Erb, with Driscolls, reminded everyone the H-2A housing issue was not unique to the City of Santa Maria He mentioned that about 150,000 workers have been brought into the country in the last few years. He spoke against the ordinance saying it would limit potential investment opportunities

Morgen Benevedo, representing Peoples' Self-Help Housing, said the organization is looking into creating housing that will help alleviate the problem of where to house H-2A farmworkers. He also expressed concern about the ordinance possibly eliminating investment potential.

Leo Corona spoke about the friendships he has made with visiting H-2A workers. He reminded everyone that the workers and their families are human beings, and deserve to be part of the community. He added there were more pressing issues in the community.

George Adam spoke about the need for the City to build a strong economy, and stated he was against the ordinance as it seemed to be prejudiced. He also felt that no one would want to invest in housing if the proposed ordinance were adopted.

Paul Allen of Main Street Produce recalled the meeting last year where H-2A employers were being encouraged to find motel rooms for their workers. He said after that, he went out and found rooms for his H-2A workers. He added that he was a little confused by the proposed ordinance.

Franziska Shepard spoke about Marian Medical Center and her family's involvement with its development. She said she had once owned the Econo Lodge property, and wanted to turn it into medical offices, but the City would not approve it for the loss of TOT. She said the plumbing was a mess and would be a problem for 200 plus tenants. She indicated that she supported the ordinance, and that turning motels into H-2A housing would lead to a big mess.

Ketan Panchal spoke in support of H-2A housing in local motels and hotels.

Ernest Armenta spoke in support of the ordinance until a solution could be found.

Andy Caldwell spoke about the farmer crisis and the need for a macro-approach, not a knee-jerk reaction. He suggested that commercial and industrial areas would be the best place for H-2A housing, and encouraged the City Council to continue to talk with the community. He likened the H-2A housing issue to a balloon where if you squeeze one end, the other bulges out with its own pressures.

Sergio Sanchez spoke about the City of Salinas. He said their City Council turned down urgency ordinances, and came up with short term solutions for H-2A housing, including temporary use of motels for housing of H-2A workers. TLUP (temporary land use permit) is a policy that has been put in place for the last six months with the possibility of extending another six months until a permanent solution was found. That policy helps with the issues of how many people were allowed to live in the housing, the conditions of some of the hotels, and possible investment for hotel owners could make to upgrade.

Mayor Patino commented that she believed the City, growers, and shippers are close to coming up with a solution. She thanked everyone for their participation saying she appreciated the way this item brought people to the meeting. The hotels that have been renovated for H-2A housing were cleaned up and in better shape.

Councilmember Cordero stated the workers who are here under an H-2A program were separate from illegal aliens, and are two completely different populations. An ordinance would give the City some ability to regulate local H-2A housing. He encouraged the Council to get back into negotiating, and not a courtroom.

Councilmember Moats commented he had visited the Nicholson Motel and found it to be an excellent operation. He said he agreed with Mr. Caldwell that the future of H-2A housing would be in commercial and industrial areas. He said he supported programs similar to what Betteravia Farms operates.

Councilmember Waterfield spoke in favor of the ordinance saying many long-time residents of the City were concerned about their neighborhoods. Her request to add Mr. Leonard's comments to the minutes of the March 19th Council meeting was because Mayor Patino had asked him about the status of the Betteravia Farms project on Highway 1. He had said things were good, the project had passed the requirements of Fish & Game Wildlife Department. However, they decided not to build there because it was not cost-efficient. Thus, Councilmember Waterfield was concerned that H-2A workers were being placed closer to the residents of the City. She questioned why the City had to solve housing issues that involved businesses that were located in the County. She stated that, without the urgency ordinance, there would be a rush of growers coming in to buy up hotel/motels to convert to H-2A housing. Two years ago, the City Council approved a two percent increase in transient occupancy tax to market the City of Santa Maria. She stated that she felt it was becoming more and more difficult to market the City. She encouraged farmers to take H-2A housing issues to the County Board of Supervisors, and build the housing on County property.

Councilmember Soto commented on the huge impact agriculture has on Santa Barbara County, particularly in Santa Maria. She said she found it interesting how, just after learning about Econo Lodge being converted into H-2A housing, people were upset. Since H-2A has been in the community for years, why were people getting upset about it now. At the end of the day, farm workers were a part of the community and contribute to the local economy. She said that, rather than just coming up with last-minute ordinances that could have long lasting impacts, she hoped the City would explore policy that protects tenants' rights, vulnerable residents, and long-term residents of the City. She encouraged the City Council to wait two weeks for the ordinance staff would be bringing forward regarding H-2A.

Councilmember Waterfield reiterated the Planning Commission's intention of keeping converted motels on Broadway above Stowell. She said they had never been approved for H-2A housing. Finding housing for displaced individuals during a recent fire had proven to be difficult given the limited housing options available in the City.

Councilmember Soto commented that if H-2A housing was not allowed in hotels and motels, it would be placed in residential communities.

Councilmember Waterfield remarked that decision was yet to be made.

Councilmember Soto asked why the City Council was jumping the gun when the first part (residential H-2A) had not even been decided.

Mayor Patino indicated the April 16th meeting would be a discussion of H-2A housing in residential areas, and asked if hotel/motel housing could be a part of that discussion.

Interim City Attorney Sinco responded that staff's goal was to get through residential H-2A housing issues first, then hotels and motels. The plan was to act on the Planning Commission's recommendation; however, hotel and motel H-2A housing could be part of the discussion.

There was general consensus of the Council to discuss residential housing issues at the next meeting, but that the hotel/motel conversions might come up as a part of the discussion.

Director of Community Development Ng added that regulation of commercial housing might need to go before the Planning Commission if it involves land use in Title 12 of the City's Municipal Code. Also, the Planning Commission had not discussed the use of commercial zoning for H-2A housing.

Action: The Urgency Ordinance was not adopted for lack of a motion.

REPORT BY CITY MANAGER

City Manager Stilwell reported that the next regular City Council meeting would be April 16, 2019. Items on the agenda would include a public hearing on a zoning ordinance amendment including employee housing provisions; a list of road maintenance projects; and a proclamation for the 10th anniversary of Serve Santa Maria.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS)

Councilmember Waterfield reported she attended a couple of meetings regarding manufactured homeowners' enforceable rent stabilization issues; a CCWA Board meeting, and an open house for Recreation & Parks.

Councilmember Soto reported she attended the Santa Maria Public Airport District meeting; the Youth Making Change North County Grant Awards celebration; the Latino Legacy Awards with Future Leaders of America; the open house for Recreation & Parks; was recognized as Woman of the Year by Senator Hannah-Beth Jackson; the grand opening of Corazon Del Pueblo and the open streets ceremony; and a tour of Bonipak.

Councilmember Moats reported he received a tour of the H-2A house on South Nicholson.

Councilmember Cordero reported he attended the Youth Making Change North County Grant Awards celebration; a Farm Day Kickoff networking event; a Police Department badge pinning; the open house with the Recreation & Parks Department; and a tour of the South Nicholson H-2A motel conversion.

Mayor Patino reported she attended a Home for Good funders collaborative; a teen advisory committee meeting at Pioneer Valley High School; the SBCAG Board meeting; the APCD Board meeting; a Fighting Back Santa Maria Valley Board meeting; a Veterans event; a meeting in Washington D.C.; the Santa

Maria Open Streets ceremony; the Corazon Del Pueblo ribbon cutting; a rotary meeting; and a teen advisory committee meeting at Santa Maria High School.

ADJOURNMENT
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 9:11 p.m.

Approved at a regular meeting on April 16, 2019.

M. Beth Cleary
Deputy City Clerk and ex officio Clerk
of the City Council

ATTEST:

M. Beth Cleary
Deputy City Clerk

Alice M. Patino
Mayor of the City of Santa Maria